

dollars that people make. On the first million dollars, not a penny. On the second million dollars, the bill that we are going to vote on—probably Friday here, maybe Thursday—has a surtax for people's second million dollars of income of less than 2 percent.

The headlines go on to say "Opposition Could Give Obama a 2012 Issue." Obama doesn't need a 2012 issue. Middle-class Americans do not need a tax increase. That is what this is all about.

It is very clear that there is a bitter division in the House with House Republicans. As you know, they were supposed to send us a bill today—or was it yesterday? They finally acknowledged late yesterday they could not send us anything. They cannot get an agreement even among the Republicans. They don't reach out to the Democrats at all. They want to do it with a majority of the majority, and they cannot get anything done.

So it seems to me, faced with this rebellion in the two caucuses, Republican leaders have two options: They can work with us to forge a compromise that will pass or they can move even further to the right to appease the tea party, because that is what this is all about. As we have seen before, when faced with a choice between the middle class and the tea party, Republicans will choose the tea party every time. We have seen before, when faced with a choice between the middle class and the richest of the rich, the Republicans choose the richest of the rich.

#### CONSUMER FINANCIAL PROTECTION BUREAU

Mr. REID. Madam President, tomorrow the Senate will vote on whether to move forward with confirmation of Richard Cordray, the nominee to head the Consumer Financial Protection Bureau, which is part of the Dodd-Frank bill.

The one thing that came out of that legislation—and certainly we understood with the financial meltdown that took place on Wall Street—is the banks need more control, not less. We also learned during that long debate that the American consumer had no protection whatsoever. The legislation we passed created the Consumer Financial Protection Bureau.

My Republican colleagues have signaled they are going to block Cordray's nomination but not because he is unqualified. You would think that if someone wanted to vote against him, it would be because he is too liberal, he is too conservative, he is too rich, he is too poor, he doesn't have the proper education, whatever you could come up with to find justification for voting against this man. That is not what they have done. For the first time I can ever remember—and my staff did research on this last night—for the first time in Senate history the Republicans are poised to block a qualified nominee solely because they don't like the Federal agency he will lead.

The Senate Republicans have no problem with Mr. Cordray. He has bipartisan support and a long history of fighting unfair practices by financial predators. Instead, Republicans are trying to cripple the new consumer agency altogether by depriving it of a director. Their attempts to hamstring the consumer watchdog will leave Americans vulnerable to scams and rip-offs that are going on as we speak and have gone on in the past. It is shameful that Republicans would leave consumers in the dark about the risk they face when making financial decisions, and they are doing it only to try to change a law that is the law of this land.

#### AFFORDABLE CARE ACT

Mr. REID. Finally, my first elected job, many years ago, was to an organization called the Southern Nevada Memorial Hospital. It was the largest hospital in the State. It was the largest hospital district. People ran at-large from Clark County, the Las Vegas area, and I was elected to that. It was my first elected job. When I took that job, there was no Medicare. In that hospital, when someone came who was old and did not have money, someone had to sign for them—a husband, a wife, father, mother, brother, sister, neighbor; someone signed. If that person did not pay after agreeing to pay, we had a large collection agency and we would go after those people. It was very difficult sometimes to collect that money, difficult in the sense it was hard to do, but, more importantly, it was difficult to do because you hated to go after people to pay these large hospital and doctor bills.

Medicare came into being before I left my job. It changed. Prior to Medicare, 40 percent of the seniors who came into that hospital had no insurance, and that is where they had to look to their friends and neighbors and relatives to take care of that bill. Today, after Medicare is the law of the land, virtually every senior citizen has the ability to go into a hospital anywhere in America.

For all of these many years, going on five decades, Medicare has been improving and extending the lives of seniors. The Affordable Care Act, legislation that my Republican colleagues tend to denigrate, Obamacare—let's talk a little bit about Obamacare today, the Affordable Care Act.

One thing that bill did is it extended the life of Medicare for 12 years. Medicare would stay strong for future generations and for retirees. That is one reason we passed that legislation.

Health care reform today is helping seniors by beginning to close the doughnut hole, the infamous doughnut hole for prescription drugs for seniors. This year; that is, 2011, because of the legislation we passed, Obamacare, more than 2.5 million Medicare recipients, including thousands of Nevadans, saved about \$600 each on prescription

drugs. That amounts to about \$1.6 billion, thanks to this legislation. For some seniors on fixed incomes, those savings prevented difficult choices between literally food and medicine.

We also had a provision in that legislation that people could get wellness checks, screenings, and a checkup. More than 24 million seniors this year got free physicals because of health care reform. That is progress of which America can be proud.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### PEARL HARBOR

Mr. McCONNELL. Madam President, as the majority leader has noted, today is the 70th anniversary of the Japanese attack on Pearl Harbor. I have certainly had the opportunity, and many Members of the Senate may have as well, of visiting World War II era veterans when they come to Washington on what are called the honor flights, where veterans groups raise the funds to get these World War II vets up here to see the World War II Memorial. It is a great inspiration to see these members of the "greatest generation" who, indeed, saved America during World War II.

I remember in particular talking to an elderly gentleman—obviously they are all elderly at this point—who was at Pearl Harbor that day, and his describing the horror of the experience. So whether these World War II veterans served in Pearl Harbor or in Europe or in the Pacific theatre, we certainly remember their extraordinary contribution to saving this country, and today in particular.

For our parents' generation, they always remembered exactly where they were when they heard about the attack. For most of us, we remember exactly where we were when we heard about the Kennedy assassination, that moment that is seared in your memory of some extraordinary event; and, of course, for younger people, the 9/11 attack. Everybody remembers exactly where they were, and millions of Americans saw the second plane go into the second building in real time. But today we remember the attack, and we express our admiration and respect for the "greatest generation."

#### KEYSTONE XL PIPELINE

Mr. McCONNELL. Madam President, today the President welcomes Canadian Prime Minister Stephen Harper to the White House, and I would like to take the opportunity to say that I hope the Prime Minister is able to convince President Obama to reverse his recent decision to delay the Keystone XL Pipeline.

The President has said repeatedly that jobs are his top priority. He says he wakes up every morning thinking about how he can create jobs. Yet here is the single greatest shovel-ready project in America ready to go, and for some reason he is suddenly not interested.

I have a question: How is it that when it comes to taxpayer-subsidized jobs that may or may not materialize, the President tells us we can't wait, we have to do it tomorrow, but when it comes to private sector jobs that are ready to go immediately, he is in no rush? It doesn't make any sense, particularly when we look at some of the President's past statements.

Here are a couple of examples. President Obama said earlier this year:

For those—just to give a background to folks, there are these tar sands in Canada that can produce oil. There is talk about building a pipeline into the United States to import that oil.

This is the President. He said:

I will make this general point, which is that, first of all, importing oil from countries that are stable and friendly is a good thing.

That is the President, and I agree with him.

The President also said earlier this year—a statement of the obvious:

We're still going to have to import some oil.

Boy, are we.

And when it comes to the oil we import from other nations, obviously we've got to look at neighbors like Canada and Mexico that are stable and steady and reliable sources.

That was the President earlier this year.

So the President has correctly said, in my view, that he favors importing oil from allies and neighbors. Here is a project that would enable us to do that and do a lot more of it and create thousands of jobs in the process. What is the problem?

Last Friday, Americans woke up to the news that for the 34th month in a row, the unemployment rate in this country has stood above 8 percent—a period of joblessness not seen since the Great Depression. The least they can expect from Washington is that we will not stand in the way of people who want to hire. Yet that is exactly what they are getting from this President when it comes to this pipeline. This project has been under review for years—3 years—including two exhaustive environmental evaluations. By all accounts, the State Department was ready to give it the green light by the end of this year—this month.

What happened? Well, it appears Presidential politics got in the way. The President started getting heat from the environmental activists he is counting on to stuff envelopes next year, so he conveniently put off the decision until right after next year's election.

So if this episode tells us anything, it is that the President is clearly more

concerned about getting himself re-elected next year than getting somebody in Montana or Kansas or South Dakota or Missouri a job today. He is so determined to keep his liberal base happy, he is even willing to go against the labor unions that, by the way, are enthusiastically in favor of beginning this project right now.

What have they had to say about it? Well, the Teamsters put it this way:

The Keystone Pipeline project will offer working men and women a real chance to earn a good wage and support their families in this difficult economic climate.

That is Jimmy Hoffa.

The AFL-CIO:

For America's skilled craft construction professionals, any discussion of the Keystone XL project begins and ends with one word: JOBS.

The AFL-CIO further said:

As many as 500,000 indirect jobs via a strong economic multiplier effect . . . without one single dollar of government assistance.

Isn't this what we are looking for? It doesn't cost the government anything. It creates jobs immediately. This is what we are looking for.

The Brotherhood of Electrical Workers:

At a time when jobs are the top global priority, the Keystone project will put thousands back to work and have ripple benefits throughout the North American economy.

Laborers' International Union of North America had this to say: This is "not just a pipeline, but is a lifeline"—not just a pipeline, but a lifeline—"for thousands of desperate working men and women."

So what do we have here? We have a privately funded project that labor leaders are saying their members want up and running. But the President says this one can wait. Despite what he has said about importing oil from allies, despite what the labor unions say, the President wants to delay these jobs until after his election.

It is not just the unions and the Republicans who are asking for this project to move forward. Let's take a look at what some of the Democrats in Congress have said about it. There was a letter from 22 House Democrats to President Obama on October 19 of this year, and I will just read a few excerpts: "America truly cannot afford to say no."

Further in the letter:

Mr. President, America needs the Keystone XL Pipeline.

Further in the letter:

The Department of State's Final Environmental Impact Statement reaffirmed the findings of the two previous environmental impact statements, namely, that the Keystone XL Pipeline will have no significant impact on the environment.

Further in this letter from the 22 Democrats to the President they said:

This represents a true shovel-ready project that would directly create 20,000 high quality domestic manufacturing and construction jobs for Americans who are desperately seeking employment.

That is 22,000 directly working for the pipeline. I have already described the spin-off benefits—the other jobs that would be created as a result of it.

Senator BAUCUS—right here in the Senate—Senator BAUCUS said:

We need to put Montanans back to work and cannot afford further delays to the Keystone XL pipeline.

Senator TESTER said:

It should not have to wait 14 months for an up-or-down decision.

The Montana Senators have it right. Americans can't wait for the next election. They want their jobs now—right now.

So it is my hope that Prime Minister Harper is able to convince the President to change his mind.

Congressional Republicans and Democrats stand ready to move forward on this project. We are prepared to do all within our means to get the Keystone XL Pipeline approved. There is literally no time for delay.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. I ask that we now move to morning business.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business with Senators permitted to speak therein for up to 10 minutes each, with the first hour equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes.

#### MIDDLE CLASS TAX CUT ACT OF 2011—MOTION TO PROCEED

Mr. REID. Madam President, I now move to proceed to Calendar No. 251, S. 1944.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to the bill (S. 1944) to create jobs by providing payroll tax relief for middle class families and businesses, and for other purposes.

#### CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby